

**TERMINAL DISCLAIMER TO OBVIATE DOUBLE PATENTING
REJECTIONS OVER MULTIPLE "PRIOR" PATENTS**

Docket Number (Optional)
A02 3122 USB

In re Application of: Jacobs et al.

Application No.: 10/762,863

Filed: 1/22/2004

For: COMPRESSED INSTRUCTION FORMAT FOR USE IN A VLIW PROCESSOR

The owner*, NXP, B.V., of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory terms of **prior patent** Nos. 5,852,741; 5,787,302; 5,826,054 and 5,878,267, as the terms of said **prior patents** are defined in 35 U.S.C. 154 and 173, and as the terms of said **prior patents** are presently shortened by any terminal disclaimer. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the **prior patents** are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory terms as defined in 35 U.S.C. 154 and 173 of the **prior patents**, "as the terms of said **prior patents** are presently shortened by any terminal disclaimer," in the event that any of said **prior patents** later:

- expires for failure to pay a maintenance fee;
- is held unenforceable;
- is found invalid by a court of competent jurisdiction;
- is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321;
- has all claims canceled by a reexamination certificate;
- is reissued; or
- is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer.

Check either box 1 or 2 below, if appropriate.

1. ☐ For submissions on behalf of a business/organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the business/organization.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2. ☒ The undersigned is an attorney or agent of record. Reg. No. 43,305

/Peter Zawilski/

Signature

Date 12-MAY-2009

Peter Zawilski

Typed or printed name

(408) 474-9063

Telephone Number

- ☒ Terminal disclaimer fee under 37 CFR 1.20 (d) is included.